

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA**

CIVIL ACTION FILE NO. 5:23-cv-00059

Crown Equipment Corporation,

Plaintiff,

v.

David Brady, William Tucker,

**Joseph Boggs, Brawtus Holding Company,
Inc. (f/k/a Pneu-Mech Systems
Manufacturing, Inc.), Brawtus
Management Company, LLC, Pneu-Mech
Systems Manufacturing, LLC (K.N.A.
Pneu-Mech Dissolution, LLC), Pneu-Mech
Systems Manufacturing, Inc., United
Finishing Systems LLC,**

Motion to Dismiss

Defendants,

v.

James Andrews and Jerry Trostle,

Third Party Defendants.

NOW COME Third Party Defendants James Andrews and Jerry Trostle (“Third Party Defendants”), by and through the undersigned counsel and pursuant to Rules 14(a)(2)(A) and 12(b)(6) and of the Federal Rules of Civil Procedure and Local Civil Rule 7.1(a), and move to dismiss Third Party Plaintiffs’ Third Party Complaint for failure to state a claim on which relief can be granted.

In support of this Motion, Third Party Defendants submit the accompanying Memorandum of Law.

Respectfully submitted,

This the 8th day of July, 2024.

HULL & CHANDLER

By: /s/ Elizabeth Venum
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Certificate of Service

This is to certify that on this date the undersigned filed the foregoing using the Court's CM/ECF system which will send notification of such filing to all counsel of record by means of CM/ECF.

This the 8th day of July, 2024.

HULL & CHANDLER

By: */s/ Elizabeth Venum*
Elizabeth Venum